

## Message Text

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ACTION EB-08

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00  
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 SS-15  
NSC-05 /049 W  
-----161003Z 059856 /21  
R 160750Z FEB 77  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 5505

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E.O. 11652: N/A  
TAGS: EAIR, JA  
SUBJECT: CIVAIR: GOJ REPLY: TIME SLOT PROBLEMS AT HANEDA AIRPORT

REF: A) TOKYO 1139 B) STATE 846

1. SUMMARY: GOJ REPLY ON TIME SLOT PROBLEM CONTAINS NOTHING NEW BUT STRESES EFFORTS JAPANESE HAVE MADE TO ACCOMMODATE U.S. SCHEDULED CARRIER NEEDS FOR REGULAR OPERATION AND CHARTER TIME SLOTS. NOTE REITERATES GOJ VIEW THAT IT HAS NO LEGAL OBLIGATION TOWARD U.S. SUPPLEMENTALS. NOTE CONCLUDES GOJ IS TRYING TO GIVE U.S. REQUEST FAVORABLE CONSIDERATION BUT CANNOT PROMISE EQUAL TREATMENT OF SUPPLEMENTALS ON TIME SLOT ISSUE. END SUMMARY.

2. GOJ HAS REPLIED TO EMBASSY'S NOVEMBER 17 NOTE REITERATING OUR REQUEST THAT U.S. SUPPLEMENTAL APPLICATIONS FOR TIME SLOTS BE ACCORDED EQUAL TREATMENT WITH U.S. SCHEDULED CARRIER APPLICATIONS FOR CHARTER SLOTS. REPLY CONTAINS NO NEW COMMENTS. IT REITERATES GOJ POSITION THAT, WITHIN WEEKLY INTERNATIONAL SLOT CEILING, U.S. SCHEDULED CARRIERS ARE GRANTED EXTREMELY PREFERENTIAL TREATMENT AS THEY CURRENTLY ARE ALLOCATED 328 OF TOTAL 1034 SLOTS  
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COMPARED TO JAL'S 280. (THESE FIGURES ARE SLIGHTLY BELOW THE 1972 "FROZEN" ALLOCATIONS OF 344 AND 288 QUOTED US IN JULY 1976; AS YAMAJI EXPLAINED DURING OCTOBER TALKS, 12-14 OF U.S. SCHEDULED SLOTS (AND POSSIBLY 4-8 OF JAL'S) HAVE, IN THE INTERVENING FOUR YEARS, BEEN GIVEN TO OTHER NATIONS' CARRIERS IN THE JAPANESE "NATIONAL INTEREST"). NOTE

AGAIN ARGUES THAT GOJ HAS NO LEGAL OBLIGATION TOWARD U.S. SUPPLEMENTALS AS THEIR OPERATIONS LIE OUTSIDE THE FRAMEWORK OF OUR BILATERAL AGREEMENTS. NOTE ALSO STRESSES EFFORTS GOJ HAS MADE IN ACCORDANCE WITH SEPTEMBER 1953 AGREEMENT, TO FIND TIME SLOTS FOR U.S. SCHEDULED CARRIER CHARTERS AND CONCLUDES THAT, OWING TO THE ABOVE AND INCREASING CROWDEDNESS OF HANEDA, "IT IS DIFFICULT TO PROMISE THE SAME HANDLING" FOR SUPPLEMENTALS THOUGH THE GOJ HAS TRIED TO TREAT OUR REQUEST FAVORABLY. EMBASSY TRANSLATION OF GOJ NOTE IS AS FOLLOWS:

"1. THE SLOT FRAMEWORK FOR REGULAR INTERNATIONAL FLIGHT SERVICE AT HANEDA AIRPORT, AT THE PRESENT TIME, IS 1,034 A WEEK. THE SLOT FRAMEWORK ALLOCATED FROM THE ABOVE TO JAPANESE ENTERPRISES FOR THE MAINTENANCE OF AVIATION SERVICE TO VARIOUS NATIONS, INCLUDING THE UNITED STATES, IS 280 A WEEK. AS AGAINST THIS, THE SLOT FRAMEWORK ALLOCATED TO AMERICAN ENTERPRISES FOR THE MAINTENANCE OF AVIATION SERVICE TO JAPAN AND TO POINTS BEYOND JAPAN, IS 328 A WEEK. THIS FRAMEWORK NOT ONLY GREATLY EXCEEDS THE FRAMEWORK ALLOCATED TO JAPANESE ENTERPRISES, BUT EVEN IN COMPARISON WITH THE SLOT FRAMEWORK ALLOCATED TO THIRD NATION ENTERPRISES, AMERICAN ENTERPRISES ARE GIVEN EXTREMELY PREFERENTIAL TREATMENT.

"UP TILL THE PRESENT, THE JAPANESE GOVERNMENT HAS BEEN MAKING GREAT EFFORTS FOR THE MAINTENANCE LIMITED OFFICIAL USE

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OF THE SLOTS FOR AMERICAN ENTERPRISES, BUT IT IS IMPOSSIBLE TO APPROVE ANY FURTHER INCREASE IN THE ALLOCATIONS TO AMERICAN ENTERPRISES IN THE FUTURE, WHEN THE SEVERE REQUESTS FOR THE EXPANSION OF THE LANDING AND TAKE-OFF FRAMEWORK FROM VARIOUS NATIONS, AND THE ACCOMMODATION CAPACITY OF HANEDA AIRPORT ARE TAKEN INTO CONSIDERATION. FURTHERMORE, IT IS DIFFICULT EVEN TO RETURN THE NUMBER OF SLOTS NOW ACTUALLY BEING USED BY AMERICAN ENTERPRISES TO THE NUMBER GIVEN AT THE TIME IT WAS FROZEN, IN DECEMBER 1972.

"2. ON THE OTHER HAND, IN REGARD TO CHARTER SERVICE, EFFORTS HAVE BEEN MADE, AS MUCH AS POSSIBLE, FOR THE SECURING OF SLOTS FOR THE LANDING AND TAKE-OFF OF CHARTER FLIGHTS INTO AND FROM JAPAN, BY REGULAR AMERICAN AVIATION ENTERPRISES, ON THE BASIS OF THE 'EXCHANGE DOCUMENTS CONCERNING NON-SCHEDULED AND CHARTER FLIGHTS,' DATED SEPTEMBER 15, 1953. HOWEVER,

AS CLARIFIED AT THE CONSULTATIONS HELD SOME TIME AGO,  
IT IS BECOMING DIFFICULT TO SECURE THESE SLOTS FOR  
CHARTER FLIGHTS, BECAUSE OF THE CONGESTION AT HANEDA  
AIRPORT.

"3. FURTHERMORE, DESPITE THE CONGESTION AT  
HANEDA AIRPORT, THE JAPANESE GOVERNMENT HAS BEEN  
RECOGNIZING THE ALLOCATION FRAMEWORK FOR THE NUMBER  
OF FLIGHTS A YEAR, CONCERNING THESE CHARTER FLIGHTS,  
LANDING AND TAKING OFF FROM JAPAN, TO THE UNITED  
STATES' SUPPLEMENTARY AVIATION SERVICE, SINCE 1969,  
AND HAS BEEN COOPERATING IN THE FACILITATION OF  
THEIR OPERATION. THE OPERATION OF THESE CHARTER  
FLIGHTS BY THE SAID SUPPLEMENTARY AVIATION SERVICE,  
IS A PROBLEM OUTSIDE THE FRAMEWORK OF THE JAPAN-UNITED  
STATES CIVIL AIR TRANSPORT AGREEMENT, WHICH PRESCRIBES  
REGULAR SERVICE BY DESIGNATED AVIATION ENTERPRISES,  
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AND OF OTHER AGREEMENTS BETWEEN JAPAN AND THE UNITED  
STATES. DESPITE THE FACT THAT THE JAPANESE SIDE,  
CONSEQUENTLY, DOES NOT BEAR AND LEGAL OBLIGATIONS,  
AND DESPITE THE STATE OF CONGESTION AT HANEDA AIRPORT,  
THE JAPANESE GOVERNMENT HAS BEEN EXTENDING FAVORABLE  
CONSIDERATION TO THE REQUESTS OF THE UNITED STATES  
GOVERNMENT.

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ACTION EB-08

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00  
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 SS-15  
NSC-05 /049 W

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R 160750Z FEB 77  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 5506

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"THE JAPANESE GOVERNMENT HAS BEEN MAKING EFFORTS TO SECURE SLOTS SO AS TO ENABLE THESE AMERICAN SUPPLEMENTARY AVIATION ENTERPRISES TO DIGEST THE ALLOCATED NUMBER OF FLIGHTS A YEAR. HOWEVER, AS SET FORTH IN 1 AND 2, THE PRESENT SITUATION CONCERNING THE SLOTS AT HANEDA AIRPORT IS BECOMING EXTREMELY SEVERE, AND THE SECURING OF THE SLOTS FOR THESE SUPPLEMENTARY AVIATION ENTERPRISES IS NOT NECESSARILY EASY, AND IT IS DIFFICULT TO PROMISE THE SAME HANDLING AS FOR THE CHARTER FLIGHT SERVICE OF REGULAR AVIATION ENTERPRISES, BASED ON THE ABOVE-MENTIONED EXCHANGE DOCUMENTS. IT IS DESIRED THAT THE UNITED STATES GOVERNMENT WILL ALSO UNDERSTAND THE CIRCUMSTANCES CONCERNING THIS QUESTION."

4. EMBASSY COMMENT: JCAB HAS VERY REAL TIME SLOT PROBLEMS AT HANEDA AND WE BELIEVE GOJ WILL NOT BUDGE ON THIS MATTER. ONGOING PROBLEM IS GOJ UNEQUAL TREATMENT OF SUPPLEMENTALS. WE BELIEVE THEY WILL CONTINUE TO BE LAST IN LINE, EVEN FOLLOWING THE AS YET INDEFINITE OPENING OF NARITA, UNLESS THE GOJ ACQUIRES A LEGAL OBLIGATION TOWARD THEM THROUGH INCLUSION OF THEIR OPERATIONS IN A BILATERAL AGREEMENT. THE GOJ'S INITIAL ASKING LIMITED OFFICIAL USE

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PRICE FOR THIS WOULD BE HIGH BUT SUBJECT TO DOWNWARD MODIFICATION AS THEY ARE WELL AWARE OF THE CONFLICTING INTERESTS OF U.S. SCHEDULED CARRIERS AND THE PARAMETERS THIS SETS AS TO WHAT THE U.S. SIDE WOULD REALISTICALLY OFFER. SHOESMITH

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